



JRW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yuichi SHIMIZU et al.

Group Art Unit: 2871

Application No.: 10/690,270

Examiner: T. Ton

Filed: October 22, 2003

Docket No.: 117243

For: ELECTRO-OPTICAL DEVICE AND ELECTRONIC APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the March 21, 2005 Election of Species Requirement, Applicants provisionally elect Species I, claims 1-8, 18 and 21, with traverse. Claim 18 should be included in Species I.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: April 6, 2005

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